	Case 5:13-cv-02170-URC Document 1 F	
2 3 4	GOLDSMITH & HULL, A P.C. File # CDCS William I. Goldsmith SBN 82183 Jack D. Hull SBN 91879 16933 Parthenia Street, Suite 110 Northridge, CA 91343 Telephone: (818) 990-6600 Facsimile: (818) 990-6140 govdept1@goldsmithcalaw.com	2019 NOV 25 PM 3: 52 CLERK U.S. DISTRICT COURT CENTRAL DIST. G. CALIE. LOS ANGELES
5 6	Attorneys for Plaintiff	The second secon
7		
8	UNITED STATES DIS	TRICT COURT
9	CENTRAL DISTRICT (OF CALIFORNIA
10		217()
11)	ASE NO.: 5:17-2470
12	Plaintiff,	COMPLAINT ON ROMISSORY NOTE (S)
13	\[\v\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	ROMISSORT NOTE (3)
14	DONALD M. MARCUS,	
15	Defendant.	
16	For its claim, Plaintiff, acting on behalf o	fthe DEPARTMENT OF EDUCATION
17	alleges as follow:	
18	1. This court has jurisdiction under tit	e 28 U.S.C. Section 1345 and Title 20
19	U.S.C. Section 1080, and the Defendan	
20	BERNARDINO.	·
21	2. In consideration of student loans gua	ranteed by Plaintiff, Defendant executed
22	promissory note(s), copies of which are attach	ed hereto as Exhibit(s) "1" on the date(s)
23	set forth on said note(s).	
24	3. Said note(s) and all rights to the obliga	ntions undertaken therein were thereafter
25	assigned to Plaintiff.	•
26		ent of the obligations due under the said
27	note(s) according the their terms.	·
28		

5. Defendant owes to Plaintiff after applying all payments and proper credits the amounts hereinafter prayed for.

WHEREFORE, Plaintiff prays for judgment against Defendant as follow:

1. As to Plaintiff First Claim:

The principal amount of \$30,879.40, plus interest accrued from the default to OCTOBER 28,2008, in the sum of \$32,108.27 with further interest at 9% per annum accruing at \$7.61 per day until entry of judgment; with interest thereafter at the legal rate plus penalties/administrative charges of \$0.00.

- 2.And upon all claims;
- A. For cost incurred.
- B. For a surcharge of ten percent of the amount of the debt owed pursuant to 28 U.S.C. Section 3011, or attorneys fees.
- C. For such other and further relief as to the Court seems just.

DATED: 11-13-20/3

William I. Goldsmith Attorneys for Plaintiff

EXHIBIT "1"

CALIFORNIA STUDENT AID COMMISSION, GUARANTOR

SOITS, CONSOLIDATION LOAN PROGRAM (

SUBMIT COMPLETED AND SIGNED PROMISSORY NOTE TO UES CONSOLIDATION CENTER P.D. BOX 18750 IRVINE CA 92713

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TERMS OF REPAYMENT OPTIONS AND PROMISSORY NOTE

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C. Under derivin discountishmes, military personnel may have their loss receid by the Secretary of Delense, in accordance with Section 902 of the Department of Delense Authorise. Inc. Act, 1981 IPL 19-342, 200 S.C. 2141, not if Questions concerning the program should not accreased to the local recruiter for the services tweether. The program is a recruiting program and occurred not personal occurred to the local recruiter for the services by an individual or those not aligned to antisement in the string Forties.

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APPLICANT CERTIFICATION, CETY The execution of this

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NOTICE TO APPLICAGE BOX 4:9332

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| ISSN| | 1 The authority for collectify the problem of collection and SSN is Section 4280(b) of the higher Boucation and 1965, 22 amended 120 U.S.C. 1078-00b) applicants are advised that contropation in the Summitted Student Loan Program (SSLP) to voluntary, but the collection of the Summitted Student Loan Program (SSLP):

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EQUAL CREDIT OPPORTUNITY ACT NOTICE

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The names and addresses of the federal agencies which administer compliance with this law are sisted prior. During the coerse of the lose personation process, your lender will upon request inform you of the proper poor which regulates has lender.

Federal Reserve System 20th Street & Constitution Are: NY/ Vestington, D.C. 2055;

Frederic Horie Lean Bhak Donro (1)*
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Office of the Computation of the Currency ASO L'Entent Plats East SW Washington, D.C. 20212

Faderal Deposis Insurance Corporation 550-17 in Sucot AW Washington, D © 20429

Femenal Trade Commission 6th Stroot & Pennsynanis Avs. NW Westington, D.C. 20080

National Credit Union Administration 2025 M Street NW Vestination D C, 20456

GENERAL INFORMATION

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REFUND INFORMATION

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Carried Millery

CDCS NO: CDCS147

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	COURT NO: 5:13-CV-2170
Plaintiff, v.	SUMMONS
DONALD M. MARCUS Defendant(s).	
TO THE ABOVE-NAMED DEFENDANT the court and serve upon Plaintiff's attorney whose a	T(S), You are hereby summoned and required to file with
	EET which is herewith served upon you within 21 days after of day of service. If you fail to do so, judgment by default
Date:	BY: Deputy Court (SEAL OF 1142 COURT)
	SUMMONS

(a) PLAINTIFFS (Chec Case United States of America	ck box if you are represe e 5:13-cv-02170	senting yourself 🕡) O-URC Docume	int 1 Defendants ant 1 Donald Market	(Check box if you are rep /13 Page 7 of 9	
(b) Attorneys (Firm Name, are representing yourself, p GOLDSMITH & HULL, A.P.C. 16933 Parthenia Street, Suite Northridge, CA 91343 Telephone: (818)990-6600 F	provide same informat	ne Number. If you cion.)	(b) Attorneys (Firm are representing yo	Name, Address and Telept ourself, provide same infor	none Number. If you nation.)
II. BASIS OF JURISDICT	FION (Place an X in or	e box only.)	II. CITIZENSHIP OF PR	INCIPAL PARTIES-For D	iversity Cases Only
1. U.S. Government Plaintiff	3. Federal Qu Government	Not a Party)	Itizen of This State	TF DEF 1 incorporated or of Business in th	Principal Place PTF DEF is State
2. U.S. Government Defendant	4. Diversity (In of Parties in It	ndicate Citizenship	Citizen or Subject of a Gareign Country	2 2 Incorporated an of Business in Ai 3 Foreign Nation	
	tate Court	Remanded from Appellate Court MAND: Yes X Yes X No	Recipened De	insferred from Another	
COMPLAINT ON FEDERALLY I	NSURED STUDENT LOAN Place an X in one bo	- DEPARTMENT OF EDUC × only).	CATION TITLE 20 U.S.C. SECTION	DN 1071 AND TITLE 20 U.S.C. S	ctional statutes unless diversity.) ECTION 1080 PROPERTY RIGHTS
375 False Claims Act	110 Insurance	REAL PROPERTY CONT	462 Naturalization	Habeas Corpus:	820 Copyrights
400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce/ICC Rates/Etc. 460 Deportation 470 Racketeer Influenced & Corrupt Org.	120 Marine 130 Miller Act 140 Negotiable instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act	245 Tort Product Liability 290 All Other Real Property TORIS PERSONAL PROPERTY 310 Airplane Product Liability 320 Assault, Libel & Slander	Application 465 Other Immigration Actions FORTS PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending Property Damage	463 Alien Detainee 510 Motions to Vacate 5entence 530 General 535 Death Penalty 540 Mandamus/Other 550 Civil Rights 555 Prison Condition	830 Patent
850 Securities/Commodities/Exchange	152 Recovery of Defaulted Student Loan (Excl. Vet.) 153 Recovery of Overpayment of Vet. Benefits	330 Fed. Employers' Liability 340 Marine 345 Marine Product Liability	385 Property Damage Product Liability BANKRUPTCY 422 Appeal 28 USC 158 423 Withdrawal 28 USC 157	Conditions of	FEDERAL TAX SUITS
Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Info. Act	160 Stockholders' 5uits 190 Other Contract 195 Contract	355 Motor Vehicle Product Liability 360 Other Personal injury 362 Personal injury	440 Other Civil Rights 441 Voting	many controls	
896 Arbitration B99 Admin. Procedures Act/Review of Appeal of Agency Decision 950 Constitutionality of State Statutes	Product Liability 196 Franchise PREAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease &	Med Malpratice 365 Personal Injury- Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury	142 Linusing/	Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Employee Ret. Inc.	
FOR OFFICE USE ONLY:	Case Number:	Product Liability 5:13-CV-	learned	L.J. Security Act	Page 1 of 3

CIVIL COVER SHEET

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VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from	495, 2594	STATE CASEWAS PE	NDING IN	THE COU	NTY OF USE A SECOND OF USE	A SEINIT	ALI DIVISION IN CA	CD IS: 或的数据	
state court?							Western		
Yes 🔀 No	Los Angeles						Western		
If "no, " go to Question B. If "yes," check the box to the right that applies, enter the	□ Ve	entura, Santa Barbara, or San	Luis Obisp	0					
corresponding division in response to		range				Southern			
Question D, below, and skip to Section IX.	Ri	verside or San Bernardino					Eastem		
Question B: is the United States, or one of its agencies or employees, a party to this action? X Yes No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	The v	A PLAINTIFF?	reside the which the majority of PLAINTH Los Angeles			aurry in 15 reside	Western Southern Eastern		
		ther		C) Other			Western		
	answer assigne (ISION) to Ques	San Luis Obispo Counties	C.2. is either of the following true? If			Outside the Central Other District of California Outside the Central Other District of California From the Central Other Outside the Central Other Out			
Question D: Initial Division?		Your case will WES Enter "Western" in	TERN DIV	SION.		SION IN CA	CDE TO THE SOUTH		
Enter the initial division determined by Question A, B, or C above:				Beck St.	FAC	TERN	CONTRACTOR OF THE STATE OF THE	CONTRACTOR STATES	

CIVIL-COVER SHEET -cy-02170-URC Document 1 Filed 11/25/13 Page 9 of 9 this action been previously filed in this court and dismissed, remanded or closed? CV11-10718 If yes, list case number(s): IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO X YE₅ If yes, list case number(s): Civil cases are deemed related if a previously filed case and the present case: (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or B. Call for determination of the same or substantially related or similar questions of law and fact; or For other reasons would entail substantial duplication of labor if heard by different judges; or D. Involve the same patent, tradermerk or crossingly, and one of the factors identified above in a, b or calso is present. X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT): Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Street and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Nature of Sult Code Abbreviation All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. HIA 861 (42 U.S.C. 1935FF(b)) All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969, (30 U.S.C. ΒL 862 All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus DIW 863 all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g)) All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as DIWW 863 amended. (42 U.S.C. 405 (g))

Substantive Statement of Cause of Action

amended. All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended.

All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as

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Key to Statistical codes relating to Social Security Cases:

SSID

RSI

(42 U.S.C. 405 (g))